

REMARKS

Claims 1-63 are pending in this application. By this paper, the Applicant amends claims 1, 22, and 43. No new matter has been added.

At paragraph 3, the Examiner rejects claims 1, 22, and 43 under 35 U.S.C. §102(b) as anticipated by Muth, "ALTO: A Platform for Object Code Modification," 1999 (Muth). The Applicant disagrees with the Examiner's reasoning, and maintains the arguments set forth in the Response submitted on September 7, 2007. The claims are directed to specific processing of subject code (i.e., dividing a region of memory containing said subject code . . .) related to self modifying code events (i.e., "when identifying a self modifying code event"). Neither Muth nor Hsu, alone or in combination, describes such processing of subject code based on identification of self modifying code.

The Examiner states that it is "common technique that modifies the code for register allocation," and "code grouping is common . . . to meet with the limited number of registers in a target processor." However, such grouping is not related to self modifying code, as recited in the independent claims.

The Examiner further states that memory allocation of Hsu, p. 30, ". . . meets the generic limitation 'dividing a region of memory' in the claims." However, the "dividing" limitation further requires that the "dividing" be related to the self-modifying code event. Neither Muth nor Hsu teaches or suggests this requirement.

In order to expedite prosecution, the Applicant amends independent claims 1, 22 and 43 to more clearly distinguish the Muth and Hsu references. In particular, the Applicant amends claims 1, 22 and 43 to specify that "dividing a region of memory..." takes place in response to the identifying of self-modifying code events in the subject code, during translation of subject code into translated code, and also during subsequent execution of translated code.

As amended, claims 1, 22 and 43 each recite an explicit link between the dividing step, and the identifying of self-modifying code events. Referring to the portions of Muth and Hsu that deal with self-modifying code events, it is clear that neither of these documents (nor indeed compilation techniques referred to in general terms by the Examiner) teaches or suggests a technique for correctly accounting for self-modifying subject code, for example by dividing or grouping the

subject code as recited in the independent claims 1, 22 and 43. As set forth in the response submitted on September 7, 2007, both Muth and Hsu embrace techniques, for dealing with self-modifying code, that do not involve partitions. The approach set out in the present independent claims is thus novel and non-obvious in light of Muth and Hsu.

In view of the above amendment, applicant believes the pending application is in condition for allowance. If the Examiner does not agree, the Applicant asks the Examiner to contact the undersigned to arrange a telephone interview to discuss the application, cited art and potential amendments.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0219, under Order No. 1801270.00139US1 from which the undersigned is authorized to draw.

Respectfully submitted,

Dated: April 16, 2008

A handwritten signature in black ink, appearing to read 'Ronald R. Demsher', written over a horizontal line.

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